

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ASAD ALI,	)	
	)	
Plaintiff,	)	Case No. 07 7115
	)	
v.	)	Honorable Judge Ruben Castillo
	)	
MICHAEL B. MUKASEY, et al,	)	Magistrate Judge Valdez
	)	
Defendants.	)	

**JOINT INITIAL STATUS REPORT**

Pursuant to this Court's Order, Plaintiff ASAD ALI and Defendants MICHAEL B. MUKASEY, et al, (collectively referred to as the Defendants), hereby submit the Parties' Joint Initial Status Report:

1. Basis for Jurisdiction:

a. Subject Matter Jurisdiction:

- i. The action is a civil action of which this Court has original jurisdiction under 8 U.S.C. §§ 1445, 1447(b) and INA §§ 334, 336(b).
- ii. This Court also has original jurisdiction pursuant to 28 U.S.C. §§ 1331, 1361, 2201 and 2202. In addition, this Court has jurisdiction pursuant to 5 U.S.C. § 702.

- b. Venue: Venue is proper in the Northern District of Illinois because Plaintiff resides in the Northern District of Illinois, a substantial part of the activities complained of occurred in the Northern District of Illinois, and the Defendants reside in this judicial district. 28 U.S.C. § 1391(e).

2. Nature of Claims: Plaintiff seeks a hearing to compel action on his naturalization application, because over 120 days have passed since his naturalization examination.

3. Names of any parties that have not been served:
  - a. All parties to Plaintiff's action have been served with Plaintiff's initial Complaint.
  - b. Plaintiff has filed the return of summons with proof of service for each Defendant with this Court.
4. Principal legal issues:
  - a. Whether the Plaintiff's naturalization application should be adjudicated.
  - b. Whether the Defendants have failed to act in accordance with their duties.
  - c. Whether the Plaintiff is entitled to reasonable attorney's fees.
  - d. Whether the Parties' procedural requirements comply with relevant statutory provisions.
5. Principal factual issues: Whether the Parties have completed all necessary procedural requirements have been completed.
6. List of pending motions and brief summary of bases for motions:
  - a. The Defendants are not required to file their respective Answers with Affirmative Defenses to Plaintiff's Complaint at this time because 60 days have not passed since each Defendant was served with Plaintiff's initial Complaint.
  - b. There are no motions presently pending before this Court.
7. Description of discovery requested and exchanged: The parties have not engaged in discovery at this time.
8. Type of discovery needed: The parties anticipate discovery relevant to issues presented in the administrative record.
9. Proposed pleadings and discovery schedule: Since Defendants are not required to Answer Plaintiff's initial Complaint at this time, we have not discussed a discovery schedule.

10. Final Pretrial Order: Since Defendants are not required to Answer Plaintiff's initial Complaint at this time, we have not discussed the final pretrial order.
11. Probable length of trial: Since Defendants are not required to Answer Plaintiff's initial Complaint at this time, we have not discussed the probable length of trial.
12. Whether or not a jury has been requested: Neither party is entitled to request a trial by jury as jurisdiction to adjudicate this case lies solely with your Honor.
13. Status of Settlement Discussions: The parties have discussed the status of Plaintiff's pending naturalization application and related FBI background check. The Defendants have requested an expedited FBI background check for the Plaintiff, which has been approved.
14. Consent to Referral to Magistrate Judge: The parties do not consent to this matter being referred to the Magistrate Judge for final disposition at this time as jurisdiction to adjudicate this case lies solely with your Honor.

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